IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 26TH NOVEMBER 2007 / 5TH AGRAHAYANA 1929

Bail Appl..No. 7226 of 2007()

(CRIME NO.353/2007 OF KOIPPURAM POLICE STATION)

PETITIONERS/ACCUSED 1 & 2:

1. **RAJAN, AGED 45 YEARS,**
   S/O.MADHAVAN, KALLOLIKKAL KALAYIL VEEDU,
   KURIYANNOOR MURI, THOTTAPPUZHASSERI VILLAGE,
   PATHANAMTHITTA.

2. **SUNIL, AGED 33 YEARS,**
   S/O.RAMAKRISHNAN, VALLIPPARAMPIL VEEDU,
   PULLAD MURI, KOIPPURAM VILLAGE,
   PATHANAMTHITTA.

BY ADV. SRI.AJITH MURALI

RESPONDENT:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. No. 7226 OF 2007

Dated this the 26th day of November, 2007

O R D E R

Application for regular bail. The petitioners are accused 1 and 2. They face allegations under the Kerala Abkari Act. They were allegedly found to be in possession of 3.5 litres of arrack on 22.10.2007. The first accused was arrested on that day and continues in custody. The 2nd accused surrendered later on 28.10.07. He also continues in custody from that date. The petitioners have no history of any criminal antecedents, submits the learned Public Prosecutor.

2. The learned counsel for the petitioners prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that regular bail can be granted to the petitioners subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioners can now be enlarged on bail on the following terms and conditions:-

i) The petitioners shall execute a bond for Rs.25,000/-

(Rupees twenty five thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioners shall make themselves available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

aks